

[Federal Register: November 2, 1994]

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DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 12

[T.D. 94-84]
RIN 1515-AB63

Extension of Import Restrictions on Maya Artifacts From the Peten
Region, Guatemala

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to reflect the extension of the import restrictions on Maya artifacts from the Peten Region, Guatemala which were imposed by T.D. 91-34. The Deputy Director of the United States Information Agency has determined that the emergency conditions which originally warranted the imposition of import restrictions still exist. Accordingly, the restrictions will continue to be in effect for an additional three years, and the Customs Regulations are being amended to indicate this extension.

EFFECTIVE DATE: November 2, 1994.

FOR FURTHER INFORMATION CONTACT: Legal Aspects: Donnette Rimmer,
Intellectual Property Rights Branch, (202) 482-6960.

Operational Aspects: Leo Wells, Office of Trade Operations (202)
927-0300.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the provisions of the Convention on Cultural Property Implementation Act, the Deputy Director of the United States Information Agency (USIA), after consultation with the Secretaries of State and Treasury, determined that Maya artifacts from the Peten Region, Guatemala were in danger of pillage and looting, and that an emergency condition existed which warranted the imposition of a prohibition on the importation of such articles into the United States. In T.D. 91-34, the Customs Service announced the imposition of import restrictions and identified the types of articles covered by the restrictions.

The Deputy Director of the USIA has considered the recommendations of the Cultural Property Advisory Committee and determined that the

emergency conditions which warranted imposition of the initial restrictions still exist and has decided to extend the import restrictions for another three years. (See 59 FR 50038, September 30, 1994.)

Accordingly, Customs is amending Sec. 12.104g (19 CFR 12.104g) to reflect the extension of the import restriction.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply.

Executive Order 12866

This amendment does not meet the criteria for a ``significant regulatory action'' as specified in E.O. 12866.

Inapplicability of Notice and Delayed Effective Date

Because this amendment reflects the extension of emergency import restrictions on cultural property which is currently subject to pillage and looting, pursuant to Sec. 553(b) (B) of the Administrative Procedure Act, no notice of proposed rulemaking or public procedure is necessary. For the same reason, a delayed effective date is both impracticable and contrary to the public interest.

Drafting Information

The principal author of this amendment was Peter T. Lynch, Regulations Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 12

Customs duties and inspections, Imports, Cultural Property

Amendment to the Regulations

Accordingly, Part 12 of the Customs Regulations (19 CFR Part 12) is amended as set forth below:

PART 12--SPECIAL CLASSES OF MERCHANDISE

1. The general and specific authority citation for Part 12 continues to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Note 17, Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

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Sections 12.104-12.104i also issued under 19 U.S.C. 2612.

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Sec. 12.104 [Amended]

2. Section 12.104g(b) is amended by adding, to the table,

``extended by 94-84'' immediately after the entry ``91-34'' in the column headed ``T.D. No.'' adjacent to the entry for Guatemala.

Dated: October 21, 1994.

George J. Weise,

Commissioner of Customs.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary of the Treasury.

[FR Doc. 94-27148 Filed 11-1-94; 8:45 am]

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